

In the Claims:

This claim listing will serve to replace all prior versions of the claims:

1. (Previously presented) An isolated or recombinant nucleic acid comprising a polynucleotide sequence that is 95% or more identical to SEQ ID NO:1, wherein said nucleic acid encodes a polypeptide that is an apoptosis inhibitor.

2.-3. (Canceled)

4. (Previously presented). The isolated or recombinant nucleic acid of claim 1, that is 95% identical to SEQ ID NO:1.

5. (Previously presented) The isolated or recombinant nucleic acid of claim 1, wherein the sequence is less than 50 kB.

6. (Previously presented) The isolated or recombinant nucleic acid of claim 1, wherein the sequence is less than 25 kB.

7. (Previously presented) The isolated or recombinant nucleic acid of claim 1, wherein the sequence is less than 10 kB.

8. (Previously presented) The isolated or recombinant nucleic acid of claim 1, wherein the sequence is less than 5 kB.

9. (Previously presented) The isolated or recombinant nucleic acid of claim 1, wherein the sequence is less than 2.5 kB.

10. (Canceled)

11. (Previously presented) The isolated or recombinant nucleic acid of claim 1, wherein the sequence is selected from:

(a) SEQ ID NO: 1;

(b) SEQ ID NO: 1, wherein one or more T's are U;

and

(c) nucleic acid sequences complementary to (a) or (b).

12. (Previously presented) The isolated or recombinant nucleic acid of claim 1, wherein the sequence is attached to a substrate.

13. (Previously presented) A composition comprising a plurality of sequences, each of claim 1, attached to a substrate.

14. (Previously presented) The composition of claim 13, wherein the sequences are attached at defined positions of the substrate.

15. (Currently amended) An isolated nucleic acid that hybridizes to the sequence set forth as SEQ ID NO:1 under stringent hybridization conditions, wherein the sequence that hybridizes is the entire length of SEQ ID NO:1. ~~greater than 700 base pairs in length.~~

16. (Currently amended) The isolated nucleic acid of claim 15, wherein the sequence that hybridizes is a fragment selected from the group consisting of ~~has a length of~~ 701-1000, 1000-2500, 2500-5000 or 5000-10000 base pairs in length.

17. (Previously presented) An expression cassette, comprising a polynucleotide sequence that is 95% or more identical to SEQ ID NO:1 operably linked to an expression control element , wherein said polynucleotide sequence encodes a polypeptide that inhibits apoptosis.

18. (Previously presented) The expression cassette of claim 17, wherein the expression control element comprises a promoter or enhancer.

19. (Previously presented) The expression cassette of claim 17, wherein the expression control element is constitutive, inducible, tissue-specific or developmentally related.

20. (Previously presented) The expression cassette of claim 17 further comprising a vector.

21. (Previously presented) The expression cassette of claim 20, wherein the vector confers expression in bacteria, plant, insect, mammalian, or yeast cell.

22. (Previously presented) The expression cassette of claim 20, wherein the vector comprises a viral vector.

23. (Previously presented) The expression cassette of claim 22, wherein the viral vector is an adenovirus.

24. (Canceled)

25. (Previously presented) The expression cassette of claim 17, wherein the polypeptide comprises SEQ ID NO: 2.

26. (Previously presented) An isolated transformed cell comprising the nucleic acid of claim 1.

27. (Previously presented) The isolated transformed cell of claim 26, wherein the cell is a bacteria, plant, insect, mammalian or yeast cell.

28. (Previously presented) The isolated transformed cell of claim 26, where the cell is a mammalian cell and where the mammalian cell is human.

29.-75. (Canceled)

76. (Currently amended) A method of producing a polypeptide comprising expressing a nucleic acid encoding an amino acid sequence that is at least 90% identical to SEQ ID NO:2, wherein the ~~amine~~ nucleic acid sequence encoding the amino acid sequence is greater than 700 base pairs in length, and ~~further wherein said amine~~ the nucleic acid sequence encodes a polypeptide that inhibits apoptosis.

77. (Previously presented) The method of claim 76, wherein the nucleic acid is expressed in solution, or in a cell in vitro.

78.-151. (Canceled)

152. (Currently amended) An expression cassette, comprising the polynucleotide sequence of claim [[142]]1 operably linked to an expression control element.

153. (Previously presented) The expression cassette of claim 152, wherein the expression control element comprises a promoter or enhancer.

154. (Previously presented) The expression cassette of claim 152, wherein the expression control element is constitutive, inducible, tissue-specific or developmentally related.

155. (Previously presented) The expression cassette of claim 152 further comprising a vector.

156. (Previously presented) The expression cassette of claim 155, wherein the vector confers expression in bacteria, plant, insect, mammalian, or yeast cell.

157. (Previously presented) The expression cassette of claim 155, wherein the vector comprises a viral vector.

158. (Previously presented) The expression cassette of claim 157, wherein the viral vector is an adenovirus.

159. (Currently amended) An isolated transformed cell comprising a nucleic acid of claim [[142]]1.

160. (Previously presented) The isolated transformed cell of claim 159, wherein the cell is a bacteria, plant, insect, mammalian or yeast cell.

161. (Previously presented) The isolated transformed cell of claim 160, where the cell is a mammalian cell and where the mammalian cell is human.

162. (Currently amended) A method of producing a polypeptide comprising expressing the nucleic acid of claim [[142]]1.

163. (Previously presented) The method of claim 162, wherein the nucleic acid is expressed in solution, or in a cell in vitro.